

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

ROSILES-PEREZ, et. al.)	
)	
Plaintiffs)	Case No. 1:06-CV-0006
)	
v.)	Judge William J. Haynes
)	Magistrate Judge Juliet Griffin
SUPERIOR FORESTRY SERVICE)	
INC., et. al.)	
)	
Defendants)	JURY DEMAND

~~PROPOSED~~ PROTECTIVE ORDER

On consideration of plaintiffs' emergency motion for a protective order, it is hereby ordered as follows:

1. Defendants and their employees, agents, including their attorneys, and intermediaries are hereby and immediately barred from all communications with plaintiffs and putative class members about this lawsuit, except as permitted through the formal discovery process, until further Order of this Court.

"Employees" and "agents," as used above and in subsequent provisions of this Order, shall refer to defendants' current employees and agents, and all persons who have been employees or agents of defendants and over whom defendants might continue to exercise influence or control, notwithstanding whether such persons are presently employed or engaged. For purposes of this Order, the seasonal nature of defendants' operations, and whether and to what extent an individual is currently engaged in seasonal activities, are not relevant to a determination of whether such individual is an employee or agent of defendants.

2. Defendants are hereby and immediately prohibited from directing, permitting, or undertaking, either directly or through any employee, agent, or other intermediary, activities that intimidate, threaten, restrain, coerce, or in any manner discriminate against plaintiffs, putative class members, witnesses, potential witnesses, or their family members, including the threatened or actual reporting of such persons for alleged immigration violations or other efforts to have them arrested, detained, jailed or deported from the United States.

3. Defendants and their agents, including their attorneys, are barred from all inquiry, discovery, or investigation into, or related to, the past or present immigration status, or alleged out-of-status employment, of plaintiffs, putative class members, witnesses, potential witnesses, or any of their family members.

4. Defendants shall immediately instruct their supervisory employees and all other employees and agents who might have contact with plaintiffs and putative class members of the prohibitions of this Order and the anti-retaliation provisions of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. §1801, and the Fair Labor Standards Act, 29 U.S.C. §201.

5. Defendants are ordered to produce Enrique Gonzalez and Jesus Flores for deposition within 14 days. These depositions are allowed for the purpose of investigating and preventing the intimidation and harassment of plaintiffs and putative class members, and shall proceed without prejudice to plaintiffs' opportunity to conduct further discovery depositions of these witnesses later in these proceedings.

6. The Court awards plaintiffs their reasonable attorneys' fees and costs incurred in the litigation of their emergency motion for a protective order. Plaintiffs shall submit evidence of

their fees and costs to defense counsel within 14 days. ~~Defendants shall have 14 days after receipt~~ *18*

~~to raise objections by communicating their objections in writing to plaintiffs' counsel. If the~~ *18*

~~parties cannot resolve the dispute, the matter shall be submitted to the Court with the statement~~ *18*

~~required by Local Rule 9(a)(1). If defendants do not timely object in writing to plaintiffs~~ *18*

~~evidence of fees and costs, they shall pay those fees and costs within 28 days after receipt of~~ *18*

~~plaintiffs' bill.~~

*A memorandum on this order will be
filed later*

William J. Haynes
The Honorable William J. Haynes
U.S. District Court Judge

*5-23-06
2:24 pm*

Dated: